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PROPOSED PROGRAMME BUDGET FOR THE BIENNIUM 1994-1995

Unforeseen and extraordinary expenses for the biennium 1994-1995

Report of the Secretary-General

1. Recognizing the need to respond to unforeseen events during the budgetary period, the General Assembly has adopted resolutions on unforeseen and extraordinary expenses at the same time as approving the biennial budgets.

2. The most recent such resolution, General Assembly resolution 46/187 of 20 December 1991, authorized the Secretary-General to enter into commitments to meet unforeseen and extraordinary expenses arising in the biennium 1992-1993 or subsequently. It also authorized him to enter into commitments, not exceeding a total of $3 million in any one year of the biennium, as he certified related to the maintenance of peace and security; or such commitments as the President of the International Court of Justice certified related to the designation of ad hoc judges (up to $250,000); the appointment of assessors, the calling of witnesses and the appointment of experts (up to $75,000); or the holding of sessions of the Court away from The Hague (up to $100,000); or such commitments, not exceeding $500,000, as the Secretary-General certified were required for interorganizational security measures pursuant to General Assembly resolution 36/235 of 18 December 1981. The resolution also provided for the Secretary-General to report on such commitments and to seek related appropriations and for the General Assembly to be convened if a decision of the Security Council resulted in the need for commitments relating to the maintenance of peace and security exceeding $10 million.

3. The Secretary-General believes that such a procedure will continue to be required in 1994-1995 and, indeed, that the challenging circumstances facing the Organization make such a procedure even more necessary than in the past. The increasingly fluid international situation demands that the United Nations be able to respond to rapidly evolving situations and potential crises with minimum delay, often with advance notice of only days or hours. In these circumstances,

the Secretary-General's authority to enter into commitments that he certifies relate to the maintenance of peace and security provide him with an essential measure of financial flexibility.

4. In recent years, however, the current limit of $3 million in any one year of the biennium has proved restrictive. In 1993, for example, the Secretary-General has, at this point, authorized net commitments of up to $2,996,700 under General Assembly resolution 46/187 for activities that he has certified relate to the maintenance of peace and security. Additional emergency activities would have to be accommodated following the approval of the Advisory Committee on Administrative and Budgetary Questions (ACABQ). Furthermore, the nature of activities funded through the resolution on unforeseen and extraordinary expenses has evolved in recent years. Whereas good offices might, in the past, have been confined to a short mission or series of missions by a few staff, more recently the initial response has sometimes involved the fielding of a more substantial group for longer periods and sometimes with greater local operating costs. In 1992, for example, initial commitments of $1 million each were authorized by the Secretary-General to establish a military liaison office in Yugoslavia and a civilian observer group in South Africa. In the circumstances, the Secretary-General believes that the limit for commitments in any one year of the biennium that he certifies relate to the maintenance of peace and security should be raised from $3 million to $6 million.

5. As regards the commitments certified by the President of the International Court of Justice, the Court has proposed that the text that applied prior to the 1988-1989 biennium be used again. This would involve a reinsertion of the items in respect of maintenance in office of judges who have not been re-elected and the payment of pension, travel and removal expenses of judges not re-elected and travel, removal and installation grants of newly elected judges. The proposed changes are indicated below:

	Old limit $	New proposed limit $
1. Designation of ad hoc judges (Statute of the Court, Article 31)	250 000	300 000
2. Appointment of assessors (Statute, Article 30), or the calling of witnesses and the appointment of experts (Statute, Article 50)	75 000	50 000
3. Maintenance in office for completion of the cases of judges (schedule A) who have not been re-elected (Statute, Article 13, paragraph 3)	Nil	40 000
4. Payment of pensions and travel and removal expenses of retiring judges, and travel and removal expenses and installation grant of members of the Court (schedules B and C)	Nil	180 000
5. Holding of sessions of the Court or its Chambers away from The Hague (Statute, Article 22)	100 000	50 000

The limits proposed are based on expenditure patterns over several bienniums and indicate theoretical maxima.

6. The Advisory Committee on Administrative and Budgetary Questions, in its first report on the proposed programme budget for 1994-1995 (A/48/7), has requested the Secretary-General to submit a report and proposals on the administrative, operational and budgetary aspects of interorganizational security measures. Accordingly, pending the submission of that report and action on it, the Secretary-General would not at this time propose any change in the limit on commitments for this purpose in 1994-1995.

7. Should the General Assembly approve the proposals outlined above, a draft resolution on unforeseen and extraordinary expenses for the biennium 1994-1995 is presented in the annex to the present report.

Annex

UNFORESEEN AND EXTRAORDINARY EXPENSES FOR THE BIENNIUM 1994-1995

The General Assembly

1. Authorizes the Secretary-General, with the prior concurrence of the Advisory Committee on Administrative and Budgetary Questions and subject to the Financial Regulations of the United Nations and the provisions of paragraph 3 below, to enter into commitments in the biennium 1994-1995 to meet unforeseen and extraordinary expenses arising either during or subsequent to that biennium, provided that the concurrence of the Advisory Committee shall not be necessary for:

(a) Such commitments, not exceeding a total of 6 million United States dollars in any one year of the biennium 1994-1995, as the Secretary-General certifies relate to the maintenance of peace and security;

(b) Such commitments as the President of the International Court of Justice certifies relate to expenses occasioned by:

(i) The designation of ad hoc judges (Statute of the Court, Article 31), not exceeding a total of 300,000 dollars;

(ii) The appointment of assessors (Statute, Article 30), or the calling of witnesses and the appointment of experts (Statute, Article 50), not exceeding a total of 50,000 dollars;

(iii) The maintenance in office for completion of the cases of judges (schedule A) who have not been re-elected (Statute, Article 13, paragraph 3), not exceeding a total of 40,000 dollars;

(iv) The payment of pensions and travel and removal expenses of retiring judges, and travel and removal expenses and installation grant of members of the Court (schedules B and C), (Statute, Article 32, paragraph 7), not exceeding a total of 180,000 dollars;

(v) The holding of sessions of the Court away from The Hague (Statute, Article 22), not exceeding a total of 50,000 dollars;

(c) Such commitments, in an amount not exceeding 500,000 dollars, in the biennium 1994-1995, as the Secretary-General certifies are required for interorganizational security measures pursuant to section IV of General Assembly resolution 36/235 of 18 December 1981;

2. Resolves that the Secretary-General shall report to the Advisory Committee on Administrative and Budgetary Questions and to the General Assembly at its forty-ninth and fiftieth sessions all commitments made under the provisions of the present resolution, together with the circumstances relating thereto, and shall submit supplementary estimates to the Assembly in respect of such commitments;

3. Decides that, for the biennium 1994-1995, if a decision of the Security Council results in the need for the Secretary-General to enter into commitments relating to the maintenance of peace and security in an amount exceeding 10 million dollars in respect of the decision, that matter shall be brought to the General Assembly or, if the Assembly is suspended or not in session, a resumed or special session of the Assembly shall be convened by the Secretary-General to consider the matter.